

Instructions

Report 4 Annual Enforcement Summary Report

This report is to be submitted to the Secretary by September 30th each year pursuant to Title 27, CCR, section 15290(a)(2). Send to:

California Environmental Protection Agency
Unified Program Section
1001 'I' Street
P.O. Box 2815
Sacramento, California 95812

Violations Information

Explanations of the program elements A through I, as stated in the rows of this report format can be found in Report 3 instructions.

Number of Facilities with Violation Type

Column 1- Class I

Enter the number of regulated businesses with one or more Class I violations discovered during the reporting fiscal year. The number entered should reflect the **total number of businesses with Class I violations, not the total number of Class I violations**. Do not include any businesses with outstanding violations from previous fiscal years.

Column 2 - Class II (excluding minor)

Enter the number of regulated businesses with one or more Class II violations discovered during the reporting fiscal year. The number entered should reflect the total number of businesses with Class II violations, not the total number of Class II violations. Do not include any businesses with outstanding violations from previous fiscal years.

Column 3 – Minor

Enter the number of regulated businesses with one or more Minor (other than Class II) violations discovered during the reporting fiscal year. The number entered should reflect the total number of businesses with Minor violations, not the total number of Class II violations. Do not include any businesses with outstanding violations from previous fiscal years.

Column 4 – Other

Enter the number of regulated businesses with violations that NOT hazardous waste violations, but are related to either related to HMRRP (Business Plan), CalARP, or UST. Only include businesses that were discovered during the reporting fiscal year, and not violations documented in previous fiscal years.

Column 5 – No. of Informal Enforcement Actions

Enter the number of businesses that have received informal enforcement actions taken for violations occurring during an inspection. Only enter a business once in any block.

Column 6: Total Number of Formal Enforcement Actions Initiated within 135 Days of Inspection or Determining Violation (Only Class I or Class II, not including minor)

Enter the number of formal enforcement actions for Class I or Class II violations, that were initiated within 135 days of when the violation was first documented. Report only the number of formal enforcement actions taken; do not report the number of Class I or Class II violations documented during the fiscal year.

Column 7: Number of Administrative Enforcement Actions:

Enter the number of administrative enforcement actions initiated during the reporting fiscal year.

NOTE: For the purposes of this report, for hazardous waste generator and onsite hazardous waste treatment elements only, report the administrative enforcement actions taken pursuant to HSC, section 25187. Any hazardous waste enforcement actions that are taken pursuant to any other sections may be counted as informal, civil, or criminal actions.

Column 8: Number of Civil Enforcement Actions and Referrals:

Enter the number of civil enforcement actions and referrals initiated during the reporting fiscal year.

For example: If a CUPA refers a case to the DA for civil enforcement action, count this as one civil enforcement action.

If a CUPA refers a case to the DA for civil enforcement, and the DA rejects the case, and the CUPA then further pursues an administrative enforcement action within the same reporting period, count these actions as one civil enforcement referral, in column 8, for the referral, and one administrative enforcement action, in column 7, for the issuance of the administrative enforcement order.

Column 9: Number of Criminal Enforcement Actions and Referrals:

Enter the number of criminal enforcement actions, referrals, and court orders initiated during the reporting fiscal year. Also, include referrals for court orders.

Column 10: Total Fines/Penalties Assessed

Enter the total value of any penalties assessed via court, administrative actions or the amount agreed upon in a formal legal settlement **during the reporting fiscal year**. This is based on the value of penalties. Only include fines and/or penalties imposed for this fiscal year. Do not include fines and/or penalties, which have not been paid from previous reporting periods, or are due to the courts, or the DA, nor to any other non-CUPA responding agencies.

For this column enter a dollar amount – this is a currency field identifying values.

Column 11: Total Fines/Penalties Collected:

Enter the total assessed value of the fines/penalties actually received by the CUPA, or the PA, during this fiscal year, including the fines/penalties that were assessed during a previous fiscal year and collected in the current fiscal year. Only include fines and penalties collected for violations. Do not include fees such as re-inspection fees, or penalty fees that are due to the courts or the DA, or any other fees, such as City/County attorney fees, or other State or local agency fees.

For this column enter a dollar amount – this is a currency field identifying values.